

Testimony of Atty. Amy Eppler-Epstein
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In Opposition to HB No. 5529, in Support of SB No. 473,
And In Support of Reforming the Sex Offender Registry Laws in Connecticut
Judiciary Committee
March 23, 2016

Thank you for the opportunity to submit testimony today about the very important issue of reforming CT's sex offender registry laws. Although I oppose the "reforms" that have been proposed in Bill 5529 such as adding residency restrictions, I strongly agree that reform to our sex offender registry law is urgently needed. I do favor the idea of allowing registrants the opportunity to petition for removal from the registry, as is embodied in 473. In response to the various proposals submitted last year, the legislature tasked the Sentencing Commission to come up with a proposal for reform by the start of the next legislative session. To me, it makes sense to wait until the Sentencing Commission, which encompasses members from a wide variety of perspectives, comes up with its recommendations, before the legislature makes any changes to our current system. I will focus my testimony today on why reform is needed, and what a better sex offender registry system would look like.

If the main purpose of maintaining a public sex offender registry is to enable members of the public to identify people who may pose a significant risk of committing future sex offenses, then our registry is not meeting that goal.

- Individualized risk assessments already exist and are utilized by the corrections system.
- Such risk assessments have no relationship to our current sex offender registry system. People who are high, medium or low risk to the general public are all on the registry, and the public has no way to identify which registrants pose the greatest risk to the community.
- Our registry should be reformed to include on the public registry only those offenders who are at moderate or high risk of re-offending, and removing from the public registry those people who have been found, based on individualized risk assessments, to pose a low risk to the general public. By doing so, the registry could be a more useful tool for promoting community safety.

Putting people on the sex offender registry who pose little or no risk to the general public is counter productive, because it destabilizes registrants' lives, and focuses scarce public resources on the wrong people.

- Being on the registry makes a person ineligible for federally subsidized housing, and all sorts of other programs and services, from treatment programs, to shelters, to nursing homes. A person's status on the registry can cause them to not be hired for or to lose a job.
- Disrupting the stability of low-risk offenders in this way may increase their risk of re-offense. A 2008 report from the Center for Sex Offender Management, a research group funded by the

Department of Justice, shows that "stabilization in the community contributes to decreases in re-offense rates."

- Scarce public dollars would be better spent focused on people identified as posing high risks for re-offending, rather than on ensuring compliance with the registry requirements by those identified as posing little risk to the general public.

Models for better systems already exist.

Models for reform already exist, both in nearby Massachusetts and in other parts of the country, most notably Minnesota, for creating a system that includes the following improvements:

- A system based on the already available individualized risk assessments, that identifies people with the highest risk of re-offense and keeps them on the public registry, while putting people with little risk of re-offense on a registry available to law enforcement only, but not to the public;
- A process to petition for removal from the registry that gives registrants the ability to demonstrate rehabilitation and reform, and gives them incentives to comply with treatment. ***Our current system provides no mechanism for registrants (with a few limited exceptions) to ever petition for removal from the registry, regardless of their current situation or risk to the general public.***

A "Second Chance Society" demands that we reform our current sex offender registry system.

"Sex offenders" may be the most stigmatized group in society. No other population that is convicted of a crime, and serves their time, carries the same post-incarceration requirements that stigmatize them for life. But once you look beyond the label, to see the real person who carries that label, you will discover that there are all sorts of people caught up in the current sex offender registry system who deserve a "second chance" and the opportunity to be removed from the registry and from the stigma that label carries.

Additional Information Provided

I have provided the Committee with copies of our proposal, "Enhancing Connecticut Public Safety Through Reform of the Sex Offender Registry." It contains not only more details about what I have discussed today, and an outline of proposed reforms to the current registry (Appendix G) which I also attach here, but also some of the real life stories of people living on the registry- how they came to be on it, and how it has affected their lives. As you will see from the articles published in Slate magazine, attached as Appendix A, even some of the most vocal proponents of sex offender registry laws, in whose name the federal registry laws were passed, have now spoken out to reform those same laws because of their unintended and counter-productive consequences.

In sum, reforming Connecticut's sex offender registry to reflect evidence-based risk assessment tools would allow the registry to be a more useful public safety tool and would enable those people

currently on the registry who are at low-risk of re-offending to remove the stigma and barriers to stability and regain productive lives. I urge you to adopt the attached proposed reforms to remove people at low risk to public safety from the public registry, and provide an opportunity for people to petition for removal from the registry.